INVESTIGATIVE SUMMARY

INTERNAL AFFAIRS BUREAU

INVESTIGATIVE SUMMARY
NO HIT SHOOTING
IAB FILE NUMBER: SH 2192947
URN NUMBER: 407-10486-1337-051

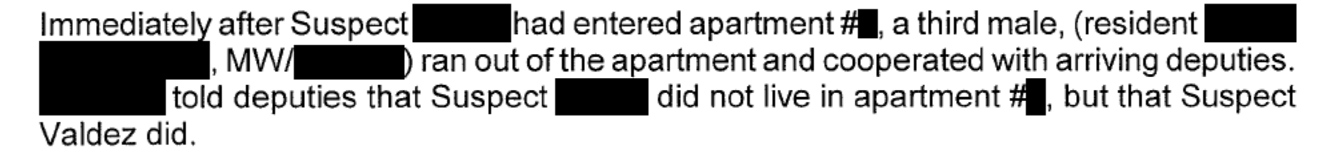
On Saturday, April 14, 2007, Sergeants Rossanna Taylor, Marshall Baird, and Lieutenant Michael Parker of the Internal Affairs Bureau responded to Lakewood Station regarding a deputy involved no-hit shooting. Rob Miller from the Office of Independent Review and Deputy Mark Caron from the Field Operations Training Unit also responded.

Gang Enforcement Team (G.E.T.) Deputies Perez and Rogge saw two suspects in front of an apartment building. The deputies noticed that Suspect Valdez had a bulge in his waistband that appeared to be a handgun. As the deputies approached the suspects, the suspects immediately turned and ran toward the apartment complex. The deputies broadcasted a foot pursuit over the radio and ordered the suspects to stop.

The two suspects opened the west side gate to the apartment complex, and kept running eastbound along the north side of the apartment building. After being chased by the deputies approximately 130 feet, Suspect [redacted] split away from Suspect Valdez and entered apartment #[redacted]. The deputies saw him enter the apartment, as it was alongside (a few feet from) the sidewalk that the pursuit path was following.

Suspect Valdez kept running, with the deputies in foot pursuit. The deputies chased Valdez as he ran eastbound along the north perimeter of the apartment complex. Suspect Valdez then turned right and ran southbound through the parking lot of the apartment complex. Suspect Valdez then turned right again, and ran westbound along the south side of the same apartment complex.

After turning the second corner, Suspect Valdez slowed, then stopped running. He turned, faced Deputy Perez, and raised his handgun, pointing it at him. In fear for his life, Deputy Perez fired one round from his .45 caliber duty weapon. The suspect immediately threw his handgun over the adjacent fence, and surrendered. The deputies broadcasted a Deputy Involved Shooting, and Valdez was arrested without further incident.


Immediately after Suspect [redacted] had entered apartment #[redacted], a third male, (resident [redacted], MW/[redacted]) ran out of the apartment and cooperated with arriving deputies. [redacted] told deputies that Suspect [redacted] did not live in apartment #[redacted], but that Suspect Valdez did.

With the assistance of arriving Lakewood Station and Operation Safe Streets Bureau (OSS) units, a containment of apartment #[redacted] was established in order to apprehend Suspect [redacted]. Deputy personnel soon convinced Suspect [redacted] to leave the apartment and surrender. He was arrested without incident. A protective sweep of the apartment revealed a handgun which was in plain sight. OSS personnel obtained a search warrant for the apartment and recovered a handgun, rifle and narcotics.

A search of the area south of the south fence line of the apartment complex, where Suspect Valdez's handgun was seen thrown, resulted in the recovery of Suspect Valdez' loaded revolver.

INVOLVED PERSONNEL:

PEREZ, Arthur Mark, Deputy Sheriff, #[redacted]
Operations Safe Streets - Lakewood Station area

Date of Employment: December 27, 1994
Date assigned to Patrol: [redacted]
Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:

SUSPECT:

VALDEZ, Anthony Rene, MH/25, Booking #9758467
Suspect Valdez' criminal history [redacted] Refer to Exhibit C, pages 1 - 7.

SWORN WITNESSES:

Rogge, Brian - Deputy Sheriff, Employee #[redacted]
Operations Safe Streets - Lakewood Station area

Rudd, Daniel - Deputy Sheriff, Employee #[redacted]
Field Operations Region III, Lakewood Station

De Dios, Vergel - Deputy Sheriff, Employee #[redacted]
Field Operations Region III, Lakewood Station

Ford, Eric - Deputy Sheriff, Employee #[redacted]
Field Operations Region III, Lakewood Station

Soliz, Esteban - Deputy Sheriff, Employee #[redacted]
Field Operations Region III, Lakewood Station

CIVILIAN WITNESSES:
[redacted], MW/35

[redacted], MH/27, Booking #[redacted]
Witness (Suspect) [redacted] criminal history [redacted]. Refer to Exhibit C, page10.

A canvass for additional witnesses was conducted by Lakewood station personnel. All witnesses contacted stated they heard one gunshot, but did not see anything. Refer to Exhibit B, pages 8 - 13.

INJURIES:
Neither the suspect nor any sworn personnel sustained any injuries.

PHYSICAL EVIDENCE:
One .45 caliber shell casing was collected at the scene of the shooting by the crime lab.

One Taurus, model 58, .357 magnum caliber double action revolver, serial number [redacted], was recovered at the scene by Deputies Solis and Ford.

IAB NOTE: Deputy Rudd stated in his interview that he directed Deputy Ford to watch the suspect's gun, and directed Deputy Soliz to secure and recover the weapon. For further information, refer to Deputy Rudd's interview, page 10, Deputy Solis' interview, page 11, and Deputy Ford's interview, page 8.

The suspect's weapon was found by numerous deputies, two of them being Deputies Ford and Solis in a parking lot south of the apartment building and several feet south of a six foot wooden fence (refer to investigators observations).

IAB Note: According to Deputies Ford and Solis, they could not identify the other deputies present at the location where the suspect's weapon was found.

IAB Note: The .357 revolver had already been photographed, recovered and removed prior to investigators' arrival ordered by Deputy Rudd (refer to Exhibit J).

IAB Note: The .357 revolver recovered at the shooting scene had been a reported stolen out of Compton Sheriff's Station area. The owner, [redacted], said his firearm was stolen from his vehicle in 2003 in the City of Signal Hill.

Two more firearms were recovered subsequent to a search warrant service (Exhibit H) of apartment #[redacted], and both were found inside the bedroom Suspect [redacted] ran into. The first

firearm was a functional .36 caliber Engager "Navy Model" type single action black powder revolver, serial number [redacted]. There is no record on file for this revolver. Lab receipt No. J884867 Los Angeles County Sheriff's Department - Scientific Services Bureau, Firearms Identification Section. Refer to Exhibit D, page 3.

The second firearm was a non-functional.22 caliber Winchester, model 190 rifle, serial number [redacted] Lab receipt No. J893652 Los Angeles County Sheriff's Department - Scientific Services Bureau, Firearms Identification Section. Refer to Exhibit D, page 5.

Gunshot residue kits were obtained for both Suspect Valdez and [redacted]. Upon testing, residue was detected on Valdez' sample. This is consistent with the suspect handling a firearm in close proximity to a firearm which had discharged. No residue was detected from Suspect [redacted] sample. Refer to Exhibit D, pages 6 & 7.

Additionally, methamphetamine, a digital scale, and numerous live bullets (.22 cal, .38 cal. and 9mm) were also recovered subsequent to the search warrant of apartment #[redacted](Exhibit H). The weapon [redacted] had described he was armed with was not located.

INVESTIGATOR OBSERVATIONS:

Although the shooting occurred during daylight hours, a walk through of the incident was performed by Operation Safe Streets Bureau, Lieutenant Ralph Ornelas, during hours of darkness.

The location is a two story multi-unit apartment building with [redacted] on the lower level, numbered [redacted]. There is a ground level concrete walkway that runs east and west on the north side of the building. There is a asphalt parking lot to the rear ([redacted]) of the building.

On the [redacted] side of the building there is an asphalt driveway/alleyway that extends the entire length of the building from the street to the rear parking lot. There is a six foot high wooden fence that separates the driveway and an adjacent parking lot where the suspect's weapon was found (refer to Exhibit F, crime scene diagram).

The deputies' vehicle was observed still parked on the sidewalk facing southeast toward the front gate of the location.

There were no overhead lights observed in the rear of the complex and a flashlight was used to observe one (1) .45 shell casing laying on the ground near where Deputy Perez reported firing.

Sergeant Baird responded to the location of where the suspect's weapon landed and noticed the weapon had already been removed. He also noticed a white compact vehicle parked south of the south fence of the location. Upon further examination, Sergeant Baird observed a dent (Refer to Exhibit I, page 2) on the hood of the white compact car. This

vehicle was parked adjacent to where the weapon was tossed by the suspect (Refer to Exhibit I), and directly south and within a few feet of where the weapon was located. Investigators were unable to determine if the damage to the hood of the white vehicle was caused by the suspect's weapon.

WEAPON USED BY DEPUTY PERSONNEL:

Deputy Arthur Mark Perez

Service weapon - Heckler & Koch (Serial Number [redacted]), double action semiautomatic pistol, .45 caliber, with .45 Winchester black hollow tip

Ammunition - One round fired, 11 left in the magazine and one left in the chamber. Magazine holds 13 rounds

Shell casing(s) - One expended .45 shell casing was recovered near where Deputy Perez reported firing

Date employee last qualified - [redacted]

Date last trained with weapon - [redacted]

Deputy Perez's round traveled in a south westerly direction, believed to have been toward an apartment complex across the street from the location. A canvass was conducted by Lakewood station personnel for the expended .45 caliber round. No expended .45 caliber round was recovered. Refer to Exhibit B, page 8.

Deputy Perez' weapon was examined, test fired, and found to be functional and within Department standards by the Los Angeles County Sheriff's Department Firearms Section, under lab receipt No. J856295. Refer to Exhibit D, page 2.

WEAPON USED BY THE SUSPECT:

Suspect Anthony Rene Valdez used a Taurus (Ser.# [redacted]), .357 magnum stainless steel revolver to point at Deputy Perez, but did not fire it.

Suspect Valdez' weapon was examined, test fired, and found to be functional by the Los Angeles County Sheriff's Department Firearms Section, under lab receipt No. J884830. Refer to Exhibit D, page 4.

PROPERTY DAMAGE:

A canvass was conducted by Lakewood station personnel for any possible damage the fired shot may have caused. The canvass was conducted at the location Deputy Perez' shot was believed to have traveled. No damages were found. Refer to Exhibit B, page 8.

CRIMINAL INVESTIGATION/CHARGES FILED:

Investigator:	Investigator Gary Sloan #[redacted], O.S.S. - Lakewood Station area
Court/Case#:	Los Angeles Superior Court, case# VA10056701
Charge(s) Filed:	Assault with a deadly weapon upon a peace officer, 245(D)(1) PC
Status:	Nine (9) years in state prison.

LIGHTING AND WEATHER CONDITIONS:

This incident occurred during daylight hours and the weather was cool and clear.

INVOLVED EMPLOYEE STATEMENTS:

Deputy Arthur Mark Perez was interviewed by IAB investigators, Sergeants Rossanna Taylor and Trent Denison on May 3, 2007, at the IAB offices in Commerce. Perez was represented by union representative Elizabeth Gibbons, from the law offices of Greene and Shinee. Deputy Perez was again interviewed on September 28, 2008 by IAB investigators, Sergeants Rossanna Taylor and Marshall Baird. Perez was again represented by Ms. Gibbons. Both interview were recorded and the following is a summary of those interviews:

Deputy Perez said he was the passenger partner of Deputy Rogge. They were assigned to gang suppression duties on April 14, 2007, when they both saw two 'gangsters' exit an apartment complex ([redacted] Eucalyptus Avenue in the City of Bellflower) through a gate. Perez said one of the suspects (later identified as Valdez) appeared to be reaching for something inside his waistband. He said when he and his partner made eye contact with both of the suspects, Suspect Valdez kept a hold on his waistband. He said both suspects immediately turned around, re-entered the gate and began running eastbound through the apartment complex toward the rear parking lot. Perez said he and Rogge immediately chased after both suspects, while Rogge immediately broadcasted (Exhibit G) their foot pursuit over the radio.

Deputy Perez said he focused and chased after Suspect Valdez as opposed to Suspect [redacted], because he felt Valdez was armed based on his initial observation of Valdez holding onto his waistband. Perez said he continuously gave Valdez commands to stop running during the entire chase, but Valdez did not comply.

Perez said as one suspect (later identified as Suspect [Witness] [redacted]) ran into an apartment through an open front door, he motioned with his right hand to Rogge, who was right behind him, to alert him to the direction the suspect went. He said although he considered the danger of [redacted] running into an apartment to either commit a felony or possibly shoot him and/or his partner as they both ran past the apartment. However, he did not think [redacted] was armed or posed any bigger threat to him or his partner than the suspect (Valdez) they were chasing, because he felt Valdez was armed and [redacted] was not.

Perez said he continued to pursue Suspect Valdez eastbound toward the rear of the complex, with Rogge closely behind him. He said Suspect Valdez ran southbound around one corner and then westbound around a second corner, chasing after him with Rogge close behind. Perez said as he turned the second corner chasing after Valdez, Valdez started to slow down and almost came to a stop. Perez said Valdez' right hand was at his waistband. At this point, Perez said Valdez "started turning his torso to the left," which he described as a thirty-five to a forty degree angle. Seeing this, Perez said he started to slow down and that is when he saw Valdez pull the gun from his waistband with his right hand and raise the gun up under his left armpit above his waist at chest level. Perez said he

then saw the barrel fo the suspect's gun pointed at him.

Perez was running with his own gun unholstered and in his right hand facing downward (low ready position), and slowed his forward movement. Simultaneously with this, Perez said he raised his weapon and took a two-handed combat stance. Perez said he was "coming to a stand still" and was in the process of the last few steps, but was still moving. Believing Valdez was going to shoot him, and fearing for his and his partner's safety, he fired one round at the suspect, missing him. Perez said he immediately broadcasted (Exhibit G) an officer involved shooting (998) over the radio, He said although he considered obtaining cover prior to shooting, there was none. Perez said he was approximately 15 feet away from Valdez when he shot at him.

Perez said Suspect Valdez then immediately tossed his gun over the southern wooden fence and proned himself out on the ground facing westbound and away from him (Perez). Perez said he was facing westbound while holding Suspect Valdez at gunpoint until assisting units arrived and handcuffed him without incident. Perez said the location the shooting ended up occurring was just below the rear window of the apartment Suspect [redacted] had previously run into.

Because of the outstanding suspect in the apartment, and Perez was still holding Suspect Valdez at gunpoint, Rogge then left Perez' side and took a position by the northeast corner of the rear of the complex in order to keep a view of the front door of the apartment Suspect [redacted] had run into (#[redacted]). At this point, Perez and Rogge were no longer in sight of each other. Deputy Rogge then reminded him over the radio to keep his eyes on the window (#[redacted]) above him. Rogge was then able to coordinate a containment for the outstanding suspect with arriving units via radio while situated at the northeast corner.

Perez said after Suspect Valdez was handcuffed by arriving units, he, Rogge and assisting units all gathered in front of apartment #[redacted]. They shouted and ordered Suspect [redacted] to exit the apartment. He said [redacted] complied, exited the bedroom and then the apartment, and was handcuffed without incident.

Perez said a subsequent search warrant was later executed on apartment #[redacted] by handling detectives, which revealed other firearms, narcotics and related paraphernalia. Refer to Exhibit H.

Perez said although he did not see Rogge behind him because he (Perez) was running in front of him, he knew Rogge was always close behind him. He knew this because he heard Rogge's footsteps and they verbally communicated with each other while running the entire time, for tactical and officer safety reasons. He said he believed Rogge was behind him when he fired, but was unsure of the distance between him and his partner.

Perez said he ordered arriving units to secure the weapon Valdez had tossed over the wooden fence because of 'unfriendlies' in that lot beginning to come out of the apartment building and due to staff shortages. Perez said he had prior experience with the adjacent

apartment building lot where Valdez had tossed his gun into from prior arrests made in that lot. He said if it wasn't for the unfriendly onlookers near the tossed weapon, he would not have had it removed, and instead would have left it for the investigators to recover.

IAB Note: Refer to Exhibit B, for a copy of Deputy Perez's supplemental report documenting his actions and observations under file #407-10486-1337-051.

SWORN WITNESS STATEMENTS:

Deputy Brian Rogge was interviewed by IAB investigators, Sergeants Rossanna Taylor and Trent Denison on May 3, 2007, at the IAB offices in Commerce. Perez was represented by union representative Elizabeth Gibbons, from the law offices of Greene and Shinee. Deputy Perez was again interviewed on September 28, 2008 by IAB investigators, Sergeants Rossanna Taylor and Marshall Baird. Perez was again represented by Ms. Gibbons. Both interview were recorded and the following is a summary of those interviews:

Rogge said he was the driver and partner of Deputy Perez on April 14, 2007, when they both saw two male Hispanics exiting the apartment complex of [redacted] Eucalyptus Avenue, in the City of Bellflower.

IAB Note: Rogge said since being assigned to the Lakewood Station area, he has made several weapons and methamphetamine arrests of known gang members in the immediate area of the apartment complex.

Rogge said as they tried to contact the two males, he saw one of them (later identified as Suspect Valdez) appeared to be holding something at his waistband. He said both suspects immediately turned around, ran through the front gate, and ran eastbound through the apartment complex toward the rear parking lot of the building. He said he and his partner immediately chased after both suspects. He said they were pretty sure they were chasing "gangsters with a gun and dope." Rogge said he immediately broadcasted (Exhibit G) their foot pursuit over the radio.

Rogge said he saw one of the suspects (later identified as Suspect [Witness] [redacted]) run into an apartment (#[redacted]) with the front door already opened, and into a rear bedroom and close the door behind him. He said he also saw a male (Witness [redacted]) sitting on a sofa inside the apartment. He said he made eye contact with [redacted] and [redacted] did not seem to move, making Rogge believe [redacted] knew [redacted]

Rogge said although he considered [redacted] may have committed a felony once in the apartment, he still felt he ([redacted]) did not pose an immediate threat to him or his partner, and opted to continue after his partner and the first suspect. He also said he did not want to split partners during the foot pursuit, and because Valdez was the obvious one believed to have been armed based on his initial observations at the front gate.

Rogge said he only lost sight of his partner for a few seconds as they each ran around both corners in the rear of the complex. He said as he turned the second corner, he saw Valdez

turn to his (Valdez') left, raise his right arm under his left armpit, and point what appeared to be the barrel of a large gun at him and Perez. He said he tried to shoot the suspect, but his partner was in front of him and in his line of fire, so he opted not to shoot. He said he saw and heard his partner, Perez, fire one shot at the suspect, missing him. He said Suspect Valdez then threw his weapon over an adjacent wooden fence and proned himself on the ground. He said there was no cover to take.

Rogge said his partner immediately broadcasted an officer involved in a shooting (radio code 998) over the radio, while assisting units arrived and took Suspect Valdez into custody without incident.

Rogge said as Perez held Suspect Valdez at gunpoint and immediately after the 998, he left Perez' position to take a position by the northeast corner so he could have a visual of the apartment Suspect [redacted] had run into. Rogge no longer had a visual on Perez or Suspect Valdez at this point. Rogge said he saw Witness [redacted] outside the front door of apartment #[redacted] and ordered him out of the way. He said he then coordinated a containment of the apartment with arriving units. Refer to Exhibit G. Suspect [redacted] was subsequently apprehended without incident.

IAB Note: Refer to Exhibit B, for a copy of Deputy Rogge's supplemental report documenting his actions and observations under file #407- 10486- 1337- 051.

Deputy Daniel Rudd was interviewed on October 29, 2007, at Lakewood station, by Internal Affairs Bureau Sergeants Rossanna Taylor and Marshall Baird. He elected not to have a representative present The interview was tape recorded and the following is a summary of that interview:

Deputy Rudd said he responded after the shooting on April 14, 2007, and assumed control of the incident. He said he wrote the incident report (Exhibit A). He said Deputies De Dios, Ford and Soliz all responded to assist.

Rudd said he and Deputy Perez directed Ford to watch the suspect's gun. Rudd said he directed Soliz to secure and recover the weapon. He said De Dios arrived afterwards and Rudd was not sure what De Dios' role was at the scene.

Rudd said he did not see who put the suspect's weapon in the trunk of his (Rudd's) patrol vehicle the night of the shooting. However, he recalled responding on the radio to someone asking where to put the recovered weapon. He told the person to put it in his trunk. He said, "I assumed it was Soliz because that is who I directed to recover the weapon."

When asked by Internal Affairs Investigators if it was absolutely necessary to move the suspect's gun, Deputy Rudd said based on where the gun was positioned, in direct line of where [redacted] had barricaded himself, and many 'unfriendlies' coming out of the adjacent apartment building posed an officer safety issue. He believed that by positioning a deputy

to watch over the weapon, and eventually to secure and recover it was necessary.

IAB Note: Refer to Exhibit A, for a copy of Deputy Rudd's incident report documenting his actions and observations under file #407- 10486- 1337- 051.

Deputy Vergel De Dios was interviewed on October 25, 2007, at Lakewood station, by Internal Affairs Bureau Sergeants Rossanna Taylor and Marshall Baird. He elected not to have a representative present The interview was tape recorded and the following is a summary of that interview:

Deputy De Dios said he was on duty on April 14, 2007 in a single man unit when he heard over the radio that an officer was just involved in a shooting, so he responded to the location. He said when he arrived, someone requested a camera for pictures of the suspect's weapon and directed him to a parking lot just south of where the actual shooting occurred.

De Dios said he remembered Deputy Soliz being present, but could not recall the names of the other deputies present around the suspect's weapon. He said he saw a gun laying on the ground with an open cylinder and bullets hanging out of it. He said he took pictures of the weapon, then immediately left to go work a position on the containment of the scene. He said he did not recall if he had any dialogue with any of the deputies present near the suspect's weapon. He said he did not see who took possession of the weapon because he walked away, while a few deputies remained behind with the gun.

De Dios said when he returned to the station, he downloaded the pictures (Exhibit I) onto the station detective bureau's computerized shared file, so the detectives could access them.

Deputy De Dios said when he approached the location, he was instructed by Deputy Perez to secure the suspect's weapon which was tossed south of the location. De Dios said when he approached the weapon, Deputy Ford and about two or three other deputies were also present, but he could not remember who they were. De Dios said he took photographs (Exhibit I) of the revolver prior to it being moved. He said he did not have any dialogue with anyone present when he approached the weapon.

De Dios said he walked away after taking the pictures and did not know who actually recovered the suspect's weapon.

IAB Note: Refer to Exhibit C, for a copy of Deputy De Dios' supplemental report documenting his actions and observations under file #407- 10486- 1337- 051.

Deputy Eric Ford was interviewed on October 30, 2007, at the Internal Affairs Bureau's offices in Commerce. He was represented by Liz Gibbons from the law offices of Greene and Shinee. The interview was tape recorded and the following is a summary of that interview:

Deputy Ford said he arrived at the scene of a shooting on April 14, 2007 and was directed by Deputy Rudd to stand by the suspect's weapon and not let anyone touch it. Ford said there were so many people at the scene of the shooting, that he could not remember who was present and who did what. He said he did not write a report because he did not do anything but watch the weapon as it lay on the ground. He said he was ordered to write a report approximately three weeks after the incident. When he wrote his report, he had Deputy Rudd's report in front of him to help him recollect his actions. He said he wrote his report based on the contents of Deputy Rudd's report, but said he could have been the one to put the suspect's weapon in Rudd's trunk, but was not totally sure.

IAB Note: Refer to Exhibit C, for a copy of Deputy Ford's supplemental report documenting his actions and observations under file #407- 10486- 1337- 051.

Deputy Esteban Soliz was interviewed on October 25, 2007, at Lakewood station, by Internal Affairs Bureau Sergeants Rossanna Taylor and Marshall Baird. He elected to not have a representative present. The interview was tape recorded and the following is a summary of that interview:

Deputy Soliz said he was on duty on April 14, 2007 and heard someone on the radio requesting additional units to the location. He said he and his partner, Deputy Briseno, responded to an address on Eucalyptus Avenue to assist. He said they immediately approached Deputies Perez and Rogge who were near apartment #[redacted]. He recalled both deputies instructed him to secure and/or recover the suspect's weapon, which was in a parking lot to the rear of the location. He said his partner remained with Deputy Rogge.

Soliz said upon his approach to where the weapon was, he saw about four deputies bent over by a car trying to recover a firearm. He said he told them he had gloves and asked if they wanted him to recover the weapon. He said no one responded and once he told them he had gloves, the other two unknown deputies left the scene. Soliz said he only recognized Deputies De Dios and Ford out of the four deputies that were present. He said Deputy De Dios took digital photographs (Exhibit I) of the weapon prior to him (Soliz) securing it.

Soliz said he saw a six cylinder weapon on the ground in front of a vehicle, laying on its left side with the cylinder open, three rounds inside the cylinder and three rounds spread out on the ground near the weapon. He said after putting his gloves on, he grabbed the weapon by the trigger guard, cleared it safe by ejecting the three rounds still inside the chamber, and recovering the three rounds from the ground.

Soliz said he could not remember if the rounds were chrome plated, brass, or hollow points, but they all appeared to be the same type. He said as Deputy Eric Ford held a paper bag opened, he placed the recovered weapon and rounds inside. He said he did not recall if he had any dialogue with Ford during that time as to who was going to do what with the weapon. Soliz said Deputy Ford then closed the bag and left the scene with it. Soliz said he also left the scene and went to where Deputy Rogge was standing.

Soliz said he does not know why Deputy Rudd wrote that he (Soliz) placed the recovered weapon in his (Rudd's) trunk. He said a few months later when asked to clarify the chain of evidence of the suspect's weapon by Sergeant Taylor, he asked Deputy Rudd about it. Soliz said Deputy Rudd told him since he had heard he (Soliz) was en route to recover the weapon and noticed he was recovering the weapon, Rudd assumed he (Soliz) placed it in his trunk.

Soliz said looking back now, he should have totally recovered the weapon and placed it in the trunk, but he thought that is what Ford was standing by for. He also said he does not know why Deputy Ford wrote he (Soliz) placed the weapon in Rudd's trunk. Soliz said he personally wrote his supplementary report the same date as the incident. Soliz said he later ascertained Deputy Ford wrote his report approximately three weeks after the incident.

IAB Note: Immediately after Soliz' interview, Sergeant Baird telephonically spoke with Deputy James Klinger, #[redacted] from weapons training and explained how the suspect's weapon landed on the ground. Deputy Klinger said Taurus is an inferior firearms brand and it is why the department does not approve its use by deputies. He said the cylinder release thumb latch is on the left side of the weapon and the inertia of the gun hitting the ground may cause the cylinder of the weapon to open and eject rounds.

IAB Note: Refer to Exhibit B, for a copy of Deputy Soliz' supplemental report documenting his actions and observations under file #407- 10486- 1337- 051.

<u>CIVILIAN WITNESS STATEMENTS:</u>
Witness [redacted] was interviewed by IAB investigators Sergeants Rossanna Taylor and Marshall Baird on April 14, 2007, at Lakewood Sheriff's Station. This interview was recorded and the following is a summary of that interview:

[redacted] said he was inside his apartment (#[redacted]) on April 14, 2007, with the front door slightly opened, when he saw people run by. He said immediately after, an unknown male ran into his roommate's (Suspect Valdez) bedroom and closed the door behind him. He said he looked outside his opened front door and saw an officer standing by the door with his gun pointed at him ([redacted]).

[redacted] said the officer kept running toward the rear of the complex and felt he (the officer) may have been running after the person that ran into his apartment, so he ran outside the apartment leaving the unidentified male in the closed bedroom because he did not recognize who ran in.

[redacted] said as he ran and approached his front door, he heard one gun shot coming from the rear of the building. He said when he got outside the door, he looked down the pathway toward the rear of the building and saw the officer (Rogge) that initially stood at his front door with his gun drawn at him standing at the rear corner. He said that officer

(Rogge) then ordered him out of the way from his (Rogge's) position at the rear corner.

IAB Note: Witness [redacted] was also interviewed by OSS Detectives Gabriela Herrera and Gary Sloan on the same date, where he told them essentially the same thing. Refer to their supplemental reports, Exhibit B, pages 26 - 27.

Witness (Suspect) [redacted] was interviewed by OSS Detectives Gabriela Herrera and Gary Sloan on April 14, 2007, at the Lakewood Sheriff's Station jail. Refer to Exhibit B, pages 22 - 29.

Witness [redacted] told Detectives Herrera and Sloan he was armed with a .22 pistol and his friend, Suspect Valdez, was armed with a 'big gun' when they were both in front of Valdez' apartment complex on April 14, 2007. He said as two officers tried to approach them, they both immediately ran back inside the complex. He said he ran inside Valdez' apartment (#[redacted]) because the front door was opened, and locked himself in Valdez' bedroom. He said Valdez continued to run in an unknown direction down the walkway of the complex. [redacted] said moments later he heard one gun shot coming from the rear of the building.

IAB Note: A subsequent search warrant service of apartment #[redacted] revealed two additional weapons (.36 caliber single action revolver and a .22 caliber rifle), methamphetamine, a digital scale, and numerous live bullets (.22 cal., .38 cal., and 9 mm), but not the weapon [redacted] had described he was armed with. Refer to Exhibit G.

<u>SUSPECT STATEMENTS:</u>

Suspect Anthony Valdez was interviewed by IAB investigators, Sergeants Rossanna Taylor and Marshall Baird on April 19, 2007, at Lakewood Sheriff's Station jail. The interview was recorded and the following is a summary of that interview:

Valdez said as he and his friend, Suspect (Witness) [redacted] were exiting the front gate of his apartment complex, he saw two officers run towards them. He said he thinks his friend, Suspect [redacted], is an active Dominguez 13 gang member, but is not sure. Valdez said he personally does not belong to any gang. Valdez said his immediate reaction was to turn around and run because it is what he does.

Valdez said he and [redacted] both re-entered the apartment complex through the gate and began to run away from the officers toward the rear of the building. He said he ran past his apartment (#[redacted]), but did not know where his friend went. He said he ran toward the rear of the building and turned one corner. He said as he turned the second corner, he took his gun from his waistband and threw it over the fence, and continued running away from the deputy. He said he then heard a gun shot from behind and immediately dove to the ground, face down.

Valdez said before he threw his gun away, he was holding the gun at his waistband the entire time he was running so it would not fall. He said he took it out of his waistband and

threw it over the fence, but never pointed it at the deputy. Earlier in his interview, Valdez had at first said he had tossed his gun as soon as he began running after he saw the deputies by the front gate. Throughout his interview, he said he was not armed when he got shot at. When asked to describe his gun, Valdez said, "It was a pretty big one. It was a big 357."

Valdez said when he, "went down face first," he was facing the direction of arriving units and could not tell who or how many deputies were behind him.

MISCELLANEOUS:

This time line summarizes some of the issues related to this incident. It was written to facilitate the reader's ability to follow the chain of events as stated by the subjects and witnesses, and is not a comprehensive list of all events related to this incident.

DISPATCH FREQUENCY:

04-14-07	Approx. 1928 hrs.	Deputy Rogge broadcasts he is in foot pursuit westbound Eucalyptus.
	Approx. 1928.11 hrs.	Deputy Rogge broadcasts he needs units to roll with red lights and siren (code 3) and an airship.
	Approx. 1928.19 hrs.	Deputy Perez broadcasts an officer involved shooting (998) just occurred and he is detaining one suspect in the driveway.
	Approx. 1928.56 hrs.	First responding unit (133E) is on scene (code 6).
	Approx. 1929.09 hrs.	Deputy Rogge broadcasts to Deputy Perez to keep his eyes on his back because there is still one outstanding suspect in an apartment just above Perez' location, who has not come out yet. Rogge is also requesting additional units.
	Approx. 1932.04 hrs.	Deputy Perez broadcasts he is 10-15 (suspect in custody) with one suspect and one suspect still outstanding.
	Approx. 1933.39 hrs.	Sky 9 is on scene (code 6).
	Approx. 1933.42 hrs.	Sergeant on scene (code 6).

Approx. 1933.57 hrs.	Deputy Perez broadcasts he is responding to Deputy Rogge's location, which is by front entrance of apartment #[redacted].
Approx. 1934.11 hrs.	End of dispatch frequency transmissions.

TACTICAL FREQUENCY:

Approx. 1937 hrs.	Units begin broadcasting on A-TAC-4.
Approx. 1938.17 hrs.	Deputy Rogge broadcasts the second suspect is in custody.
Approx. 1938.29 hrs.	K9 broadcasts they are cancelling (10-22) their response.
Approx. 1945.30 hrs.	Command Post (CP) personnel requested any other personnel on a containment identify themselves.
Approx. 1945.39 hrs.	Deputy Rudd broadcasts, "The suspect's weapon is in my trunk."
Approx. 2040 hrs.	End of Tactical frequency transmissions.

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 04-14-07	Bureau/Station/Facility: OSS/GET - Lakewood Station Area	Admin. Invest.? ☐	Hit? ☐

Incident Information

URN: 407-10486-1337-051

Date: 04-14-07 Time: 1928

City or Station: Lakewood Station - OSS/GET

Nature of Incident: Officer Involved Shooting - Non Hit

Location: [redacted] Eucalyptus Avenue, #[redacted]
Bellflower, CA 90706

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence (circled), Rural, School, Street
Other: behind apt. bldg.

Lighting (*circle only one*): Darkness, Daylight (circled), Other, Street Lights

Weather (*circle only one*): Clear (circled), Cloudy, Fog, Rain

Distance: approx. 333 Ft.

Incident Type (*circle one or more*): Accidental, Armed Person (circled), Fleeing Suspect (circled), Foot Pursuit (circled), Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot
Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, Observation (circled), One Person Unit, Other, Search Warrant, Two Person Unit (circled)

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, Routine Patrol (circled)

Total # of Shots Fired by Deputy: 1

Total # of Shots Fired by Suspect: 0

Aero Unit? ☐ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Rogge	Brian		EM PM (circled) Day	Regular (circled) Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	Brannigan	Steven	X	On Duty (circled), Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Barnett	Joel	

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Skeen	Jason	A.

PSTD Use Only
SH # 2192947

SH-R-438A rev. 3/97

See Reverse

Officer Involved Shooting

URN: 407-10486-1337-051

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
01-14-07	2100		

Employee #	Last Name	First Name	M.I
[redacted]	Taylor	Rossanna	M.
[redacted]	Baird	Marshall	W.
[redacted]	Parker	Michael	J.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	FH	TA	.357	N	N	NN	NN
E1	S1	FH	HK	.45	Y	Y	NN	NN

Officer Involved Shooting
Involved Employee Information

URN: 407-10486-1337-051

Involved Employee

E 1

Employee # [redacted]	Last Name: Perez	First Name: Arthur	M.I.: M.
Sex: M Race: H	Rank: DSG	Unit Assignment: OSS/GET	Work Assignment (Unit #, Module, etc.): 130G14
ShiftTime (*circle only one*): EM **(PM)** Day	ShiftType (*circle only one*): **(Regular)** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, **(Plain Clothes w/ Vest)**, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 510 Weight: 165			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]			

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting Suspect Information

URN: 407-10486-1337-051

Suspect Information

S 1

Last Name: Valdez	First Name: Anthony	M.I.: R.
AKA Last Name:	First Name:	M.I.:
Sex: M Race: H	Street Address: [redacted] City: [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 25 D.O.B. 03-19-82	Height: 508 Weight: 190	FBI # [redacted]	CII # [redacted]
Booking # 9758467	Primary Charge: 245 (A)(2)PC	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? ☒
Vehicle Make	Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make	Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make	Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make	Model:	Year: